

ORDINANCE NO. 67- 2020

BY: **ROY J. JECH**
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND CONVEYANCE OF REAL PROPERTY IN CONNECTION WITH THE ESTABLISHMENT OF A TAX INCREMENT FINANCING PROGRAM UNDER OHIO REVISED CODE SECTION 5709.41; AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT AND OTHER CONTRACTS, CERTIFICATIONS AND OTHER DOCUMENTS RELATED THERETO, AND DECLARING AN EMERGENCY

WHEREAS, the City of Parma has encouraged the redevelopment of the property located at 6338 Broadview Rd. at the intersection of Broadview Road and W. Ridgewood Drive in the City, as more fully described in Exhibit A attached hereto (the “Site”); and

WHEREAS, Parma Nest, LLC, d/b/a/ Little Birdie Wine Nest is interested in redevelopment of the Site for construction of a 9,000-sq. ft. coffee bar, wine bar, event center, yoga studio, and craft beverage lounge (the “Project”), thereby creating jobs and employment opportunities for the residents of the City and Cuyahoga County; and

WHEREAS, Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43 authorize this Council to declare Improvements (as defined in Ohio Revised Code Section 5709.41) with respect to real property which has been owned by the City and thereafter conveyed to a private person to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of years, and to provide for the making of service payments in lieu of taxes by the owner of such parcel and to establish a urban redevelopment tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the City has determined that the acquisition, conveyance and redevelopment of the Site has been determined to be a satisfactory and desirable method for the implementation of the City’s plan for urban redevelopment of the Site as set forth in the Development Agreement;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO, that:

Section 1. The proposal of Parma Nest, LLC, d/b/a Little Birdie Wine Nest (hereinafter the “Redeveloper”) for the acquisition, conveyance and redevelopment of the Site is hereby approved.

Section 2. It is in the best interest of the City to accept the conveyance of the Site from the Redeveloper for consideration not to exceed One and 00/100 Dollars (\$1.00) and, this Council having determined that the Site is not needed for municipal purposes, to subsequently convey title to such property to the Redeveloper or to the Parma Community Improvement Corporation (the “CIC”) to comply with the requirements of Section 5709.41(B)(2) of the Ohio Revised Code for consideration not to exceed One and 00/100 Dollars (\$1.00). The Mayor and the Auditor are hereby authorized to execute any and all documents necessary or appropriate to effectuate the transactions authorized herein.

Section 3. This Council hereby determines that waiving competitive bidding in connection with the City’s conveyance of such Site to the Redeveloper or the CIC is justifiable and reasonable because the property conveyances are necessary in connection with the redevelopment of the Site.

Section 4. The Community Services and Economic Development Director is hereby authorized and directed to execute and deliver the Development Agreement with the Redeveloper, which Development Agreement constitutes a plan for the urban redevelopment of the Site, in substantially the form attached hereto as Exhibit B, together with such revisions, additions and

amendments thereto as may be approved by the Community Services and Economic Development Director and the Law Director as being consistent with the objectives and requirements of this Ordinance and as are not otherwise materially adverse to the City, as evidenced by the signature of the Community Services and Economic Development Director, thereon with the approval of the Law Director.

Section 5. The Mayor, the Law Director, the Auditor and the Community Services and Economic Development Director are hereby authorized to execute such certifications and documents and to take such other actions as may be necessary or appropriate to carry out the terms of the agreements authorized in this Ordinance.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City of Parma, and for the further reason that this Ordinance is required to be immediately effective so that the City can immediately undertake steps to implement the Plan; wherefore, this Ordinance shall become immediately effective upon receiving the affirmative vote of two thirds of all members elected to Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED _____, 2020

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

FILED WITH
THE MAYOR: _____

MAYOR, CITY OF PARMA, OHIO

EXHIBIT A
PROPERTY

City of Parma, Ohio
[Insert legal description]